

United States Court of Appeals

Eleventh Circuit
56 Forsyth Street, N.W.
Atlanta, Georgia 30303

Thomas K. Kahn
Clerk

In Reply, Give Number
Of Case and Names of Parties

September 3, 2009

VIA FACSIMILE

TO ALL COUNSEL OF RECORD

Re: No. 08-10997 - United States v. William Irey

Dear Counsel:

For the purposes of the upcoming en banc rehearing in the above-referenced case, the court desires for counsel to focus their briefs on the following issue:

Is the sentence imposed in this case unreasonable and thereby an abuse of the district court's sentencing discretion?

Appellant's en banc brief shall be filed in the Clerk's Office in Atlanta by 5:00 p.m., Monday, October 5, 2009. Appellee's en banc brief shall be filed in the Clerk's Office in Atlanta by 5:00 p.m., Thursday, November 5, 2009. Any en banc reply brief by the Appellant must be filed in the Clerk's Office in Atlanta by 5:00 p.m., Monday, November 23, 2009. NO EXTENSIONS WILL BE GRANTED. An original and 18 copies of the en banc briefs should be filed (appellant's in blue covers, appellee's in red covers and any reply in gray covers). The parties are expected to insure that all other parties receive a copy of their briefs before the close of business on the day of filing (facsimile, e-mail, etc.). NO TIME FOR MAILING SHALL BE ALLOWED. The filing of an en banc amicus briefs is governed by 11th Cir. R. 35-8. All parties are also required to upload the brief in electronic format to the court's Web site as described in 11th Cir. R. 31-5.

All counsel are requested to file 16 copies of their original opening panel briefs, record excerpts and supplemental authorities prior to 5:00 p.m., Monday, October 5, 2009.

Oral argument will be conducted during the week of February 8, 2010, in Atlanta, Georgia. Each party will be allotted 20 minutes per side for oral argument. Counsel will receive subsequent correspondence regarding the specific date and time of oral argument.

Thank you for your attention.

Sincerely,

THOMAS K. KAHN, Clerk

By: _____

Joyce Pope
Calendar Clerk/Court Sessions Supervisor
404.335.6131

Peggy Morris Ronca - FAX 407.648.7643
William R. Ponall - FAX 407.645.0805
Clerk, U.S. District Court (MFL - Orlando)
Honorable Gregory A. Presnell